

# McDermott Will & Emery

RECEIVED  
CENTRAL FAX CENTER

OCT 19 2005

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Milan  
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.

**Certification of Facsimile Transmission**  
I hereby certify that this paper is being facsimiled  
in accordance with the Patent and Trademark Office  
on the date shown below.  
Ramyar Farid  
Type or print name of person signing certification  
10/19/05  
Date

**FACSIMILE**

**Date:** October 19, 2005

**Time Sent:**

<b>To:</b>	<b>Company:</b>	<b>Facsimile No:</b>	<b>Telephone No:</b>
Examiner Christian D. Wilson	U.S. Patent and Trademark Office	571-273-8300	
<b>From:</b>	Ramyar M. Farid	<b>Direct Phone:</b>	202.756.8146
<b>E-Mail:</b>	rfarid@mwe.com	<b>Direct Fax:</b>	202.756.8087
<b>Sent By:</b>	Matilda Newman	<b>Direct Phone:</b>	202-756-8661
<b>Client/Matter/Tkpr:</b>	63979-036/5328	<b>Original to Follow by Mail:</b>	No
		<b>Number of Pages, Including Cover:</b>	17
<b>Re:</b>	<b>Application No.:</b> 10/716,621		
	<b>Attorney Docket No.:</b> 63979-036		

**Message:**

This Amendment is being filed in response to the Office Action dated July 19, 2005.

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the below address by mail. Thank you.

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL MATILDA NEWMAN AT 202-756-8661 AS SOON AS POSSIBLE.**

Main Facsimile: 202.756.8087 Facsimile Operator: 202.756.8090

U.S. practice conducted through McDermott Will & Emery LLP.  
600 Thirteenth Street, N.W. Washington, D.C. 20005-3096

Telephone: 202.756.8000

Docket No.: 063979-0036

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
CENTRAL FAX CENTER****OCT 19 2005**

In re Application of : Customer Number: 20277  
 MORIMOTO, KIYOSHI, et al. : Confirmation Number: 6335  
 Application No.: 10/716,621 : Group Art Unit: 2891  
 Filed: November 20, 2003 : Examiner: Christian D. Wilson

For: NON-VOLATILE MEMORY AND FABRICATION METHOD THEREOF

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☒ No additional fee is required.  
☐ Applicant is entitled to small entity status under 37 CFR 1.27  
☐ Also attached:

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	26	28	0	\$50.00 =	\$0.00
Independent Claims	3	3	0	\$200.00 =	\$0.00
Multiple dependent claims newly presented					\$0.00
Fee for extension of time					\$0.00
					\$0.00
Total of Above Calculations					\$0.00

- ☐ Please charge my Deposit Account No. 500417 in the amount of \$0.00.  
☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL &amp; EMERY LLP

*Ramyar M. Farid*  
 Ramyar M. Farid  
 Registration No. 46,692

600 13<sup>th</sup> Street, N.W.  
 Washington, DC 20005-3096  
 Phone: 202.756.8000 RMF:men  
 Facsimile: 202.756.8087  
 Date: October 19, 2005

Please recognize our Customer No. 20277 as our  
 correspondence address.

WDC99 1149998-1.063979.0036

**BEST AVAILABLE COPY**

Docket No.: 063979-0036

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
Kiyoshi MORIMOTO, et al.	:	Confirmation Number: 6335
Application No.: 10/716,621	:	Group Art Unit: 2891
Filed: November 20, 2003	:	Examiner: Christian D. Wilson
For: NON-VOLATILE MEMORY AND FABRICATION METHOD THEREOF	:	

**RECEIVED  
CENTRAL FAX CENTER****AMENDMENT****OCT 19 2005**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 19, 2005, having a three-month shortened statutory period for response set to expire on October 19, 2005, reconsideration of the above-identified application is respectfully requested in view of the following amendment and remarks.

WDC99 1128542-1.063979.0036